

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION ACKNOWLEDGING THE ACCEPTANCE OF DOLPHIN AVENUE IN THE TOWN OF OCEANO FOR DRAINAGE PURPOSES

The following resolution is hereby offered and read:

WHEREAS, that certain portion of Dolphin Avenue (previously Tenth Street) described in Exhibit A (hereafter the "Subject Property") is needed for the public purpose of the construction, installation, operation, maintenance and repair of a storm drain system consisting of underground drainage lines and related facilities; and

WHEREAS, the Subject Property is shown as a portion of Tenth Street on the map of the Town of Oceano filed in Book A of Maps at Page 148 in the Office of the Recorder of the County of San Luis Obispo (hereafter, the "Oceano Map"); and

WHEREAS, the road depicted as Tenth Street on the Oceano Map was thereafter named "Dolphin Avenue" by the County in or about 1981; and

WHEREAS, lots depicted on the Oceano Map, including those lots adjoining the Subject Property, have historically been sold by referencing the lot as depicted on the Oceano Map; and

WHEREAS, the Subject Property has been open for public use, and has been used freely to access the parcels adjoining the Subject Property for generations; and

WHEREAS, prior to 1981, the County had installed underground waterlines in the Subject Property; and

WHEREAS, it is in the public interest to acknowledge the prior public use and acceptance of said Subject Property for the purposes of the construction, installation, operation, maintenance and repair of a storm drainage line and related drainage facilities; and

WHEREAS, the County has discovered no prior resolution accepting the road now known as Dolphin Avenue as a County maintained road, and Dolphin Avenue is not part of the County maintained road system.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. The above recitals are incorporated herein by reference.
2. The Board hereby acknowledges the prior public acceptance of the Subject Property (described in Exhibit A) as a public road through public use.
3. The Board hereby acknowledges that by installing underground waterlines in the Subject Property prior to 1981, the Subject Property had been previously accepted by the County for utility purposes.
4. The Board hereby acknowledges the acceptance of the Subject Property for the public purpose of construction, installation, operation, maintenance and repair of a storm drainage line and related facilities.
5. The Board hereby acknowledges the acceptance of the Subject Property described in Exhibit A for and on behalf of the public as an easement for utility purposes; and
6. Said Subject Property is not being accepted as a County road, so nothing in this resolution shall cause the Subject Property to be considered a part of the County maintained road system; and
7. That the Clerk of the Board of Supervisors be and hereby is authorized and directed to record a copy of the resolution in the office of the County Recorder of the County of San Luis Obispo.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted on the ____ day of _____, 20____.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: February 3, 2015

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STATE OF CALIFORNIA, }
County of San Luis Obispo, ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____
day of _____, 20 _____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By _____
Deputy Clerk.

Exhibit A

That portion of Tenth Street, now commonly known as Dolphin Avenue, 60 feet in width as shown on Map No. 2 of the Town of Oceano filed in Book A of Maps at Page 148 in the Office of the Recorder of the County of San Luis Obispo, State of California being more particularly described as follows;

Bounded on the north by the southwesterly line of Railroad Street and bounded on the south by the easterly projection of the northerly line of Lots 19 through 36 of Block 31, all as shown on said Map No. 2 of the Town of Oceano.